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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG-DMS
)
Plaintiff,) STATUS REPORT ON
) DISCOVERY AND CUSTODY
vs.)
)
JOHN PEARL SMITH,)
)
Defendants.)
)
)

COMES NOW Plaintiff United States of America, by and through the undersigned counsel, and notifies the Court of the status of protective orders pertaining to discovery, as well as where the defendant should be housed pending trial. The United States received a one terabyte hard drive from the defendant on

Friday afternoon, March 31. On Monday, April 3, the United States began copying the files electronically, which, due to the volume of the material, should be ready on or about Wednesday, April 12. There are few proposed limitations on defendant's access to discovery. They include that the defendant not receive documents with personal identifying information ("PII"), and that the defendant not have unrestricted access to any sensitive photographs seized or taken during the investigation. All PII should be redacted or not left with the defendant in the jail, and sensitive photographs will not be left with the defendant in the jail. The defendant will not be allowed to share his discovery with anyone who is not on the defense team (lawyers, investigators, paralegals, and experts). Further, the anticipated protective order require all members of the defense team to make a good faith effort to prevent unauthorized distribution of discovery (i.e., the defendant may not leave the discovery unattended in a place where others not associated with the defense team may view the discovery.) Otherwise, the United States will move to restrict access to certain discovery and ask that the Court consider a more restrictive protective order.

Counsel for the United States has spoken to counsel for the defendant, Steven Wells, who agrees to these limitations. Furthermore, the United States has contacted the United States Marshals' Service regarding the custody status of the defendant. Due to the issues anticipated to be raised in this case, counsel for the

defense has requested that the defendant be transported to Seatac Federal Detention Center so that he may have better access to experts and electronic discovery material. It is anticipated that the defendant will move to declare the case complex and ask the Court order his transport, which will not be opposed by the United States. The United States will file its unopposed motion for a protective order next week.

RESPECTFULLY SUBMITTED this 7th day of April, 2017, in Anchorage, Alaska.

BRYAN SCHRODER
Acting United States Attorney

s/Frank V. Russo
FRANK V. RUSSO
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2017
a copy of the foregoing was served,
via ECF, on:

Steve Wells
Suzanne Elliott

s/Frank V. Russo
Office of the U.S. Attorney